

UNITED STATES DISTRICT COURT, DISTRICT OF NEW MEXICO

SENTENCING MINUTE SHEET

CR No.	05-1849 JH			USA vs.	Osgood		
Date:	September 29, 2009			Name of Deft:	George Osgood		
Before the Honorable				Judith C. Herrera			
Time In/Out:	9:59 am - 10:24 (25 minutes)			Type of Proceeding:	Sentencing -Non-Evidentiary		
Clerk:	I. Duran			Court Reporter:	P. Baca		
AUSA:	James Braun			Defendant's Counsel:	Amy Sirignano		
Sentencing in:	Albuquerque, New Mexico			Interpreter:	None		
Probation Officer:	John Lovato			Sworn?	<input type="checkbox"/>	Yes	<input type="checkbox"/> No
Convicted on:	<input checked="" type="checkbox"/>	Plea	<input type="checkbox"/>	Verdict	As to:	<input checked="" type="checkbox"/>	Information <input type="checkbox"/> Indictment
If Plea:	<input checked="" type="checkbox"/>	Accepted	<input type="checkbox"/>	Not Accepted	Adjudged/Found Guilty on Counts:		
Date of Plea/Verdict:	4/23/09			PSR:	<input type="checkbox"/>	Not Disputed	<input checked="" type="checkbox"/> Disputed
PSR:	<input checked="" type="checkbox"/>	Court Adopts PSR Findings			Evidentiary Hearing:	<input checked="" type="checkbox"/>	Not Needed <input type="checkbox"/> Needed
Exceptions to PSR:							
SENTENCE IMPOSED				Imprisonment (BOP): 30 months			
Supervised Release:	3 years			Probation:	500-Hour Drug Program		
SPECIAL CONDITIONS OF SUPERVISION							
<input type="checkbox"/>	No re-entry without legal authorization			<input type="checkbox"/>	Home confinement for _____ months _____ days		
<input type="checkbox"/>	Comply with ICE laws and regulations			<input type="checkbox"/>	Community service for _____ months _____ days		
<input type="checkbox"/>	ICE to begin removal immediately or during sentence			<input type="checkbox"/>	Reside halfway house _____ months _____ days		
<input checked="" type="checkbox"/>	Participate in substance abuse program/drug testing			<input type="checkbox"/>	Register as sex offender		
<input checked="" type="checkbox"/>	Participate in mental health program			<input type="checkbox"/>	Participate in sex offender treatment program		
<input checked="" type="checkbox"/>	No alcohol/liquor establishments			<input type="checkbox"/>	Possess no sexual material		
<input checked="" type="checkbox"/>	Submit to search of person/property			<input type="checkbox"/>	No computer with access to online services		
<input checked="" type="checkbox"/>	No contact with victim(s) and/or co-Deft(s)			<input type="checkbox"/>	No contact with children under 18 years		
<input type="checkbox"/>	No entering, or loitering near, victim's residence			<input type="checkbox"/>	No volunteering where children supervised		
<input type="checkbox"/>	Provide financial information			<input type="checkbox"/>	Restricted from occupation with access to children		
<input type="checkbox"/>	Grant limited waiver of confidentiality			<input type="checkbox"/>	No loitering within 100 feet of school yards		
<input checked="" type="checkbox"/>	OTHER: Standard Conditions: deft shall submit to DNA collection & shall not possess any firearms.						
Fine:	\$	0			Restitution:	\$	0
SPA:	\$	100 (\$100 as to each Count)			Payment Schedule:	<input checked="" type="checkbox"/>	Due Immediately <input type="checkbox"/> Waived
OTHER:							
<input type="checkbox"/>	Advised of Right to Appeal		<input checked="" type="checkbox"/>	Waived Appeal Rights per Plea Agreement			
<input checked="" type="checkbox"/>	Held in Custody		<input type="checkbox"/>	Voluntary Surrender			
<input checked="" type="checkbox"/>	Recommended place(s) of incarceration:			BOP Medical facility to address deft's medical needs (Springfield, Missouri, Fort Worth, Texas or Rochester, Minnesota)			
Dismissed Counts:							

OTHER COMMENTS	<p>Ct. has reviewed all the documents submitted to the Ct. Defense counsel refers to Exhibit C (letter from deft's son) and withdraws argument re: supervision & refers to the plea agreement. Defense refers to paragraphs in the PSR & states that these paragraphs have no relevance as to sentencing & requests that they be deleted from the PSR. Govt. objects to deletion of said paragraphs. Probation makes no comment. Defense replies & elaborates as to why these paragraphs should be stricken from the PSR. Govt. responds. Ct. finds that the paragraphs are appropriate & denies the request to delete such paragraphs. Ct. accepts plea agreement under Rule11 (C)(1)©. Defense gives summary of deft's medical condition & asks for medical treatment & designation at a medical facility such as Springfield, MO, Fort Worth, TX or Rochester, Minnesota. Deft allocutes to the Ct. Govt. concurs to a prompt designation to a medical facility. Ct. directs US Marshal to look into medical treatment for this deft & for prompt designation by BOP to a medical facility. Ct. has reviewed the PSR & findings & has considered the sentencing guidelines & factors under 3553 & imposes sentence. Govt. moves to dismiss Superceding Indictment.</p>
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